or practices which lead to the strengthening of the racist régimes and contribute to the sustainment of racism and racial discrimination (para. 8) and proclaims that racist régimes should be denied any support or assistance that could enable them to perpetuate racist policies or practices, including policies aimed at depriving the indigenous people of their inalienable rights (para. 13 (*e*)) and that it is essential to consider ways and means of ensuring the international and regional isolation of racist régimes (para. 13 (*g*)),

Noting also that, in resolution 3223 (XXIX), the General Assembly has urged all States to ensure *inter alia* the immediate termination of all measures and policies, as well as military, political, economic and other activities, which enable racist régimes in southern Africa to continue the repression of the African people (para. 7 (*a*)),

1. *Declares* that all policies, practices or relations which have the effect of supporting, sustaining or encouraging racist régimes are irreconcilable with the commitment to the cause of the elimination of racial discrimination which is inherent in the ratification of, or accession to, the International Convention on the Elimination of All Forms of Racial Discrimination, and inconsistent with the specific commitment of States Parties to condemn racial segregation and *apartheid*, in accordance with article 3 of the Convention, and their resolve to build an international community free from all forms of racial segregation and racial discrimination, expressed in the Preamble to the Convention;

2. *Calls upon*, States Parties concerned, at the earliest possible stage in the Decade for Action to Combat Racism and Racial Discrimination, to reconsider any relations which they may have with the racist régimes in the light of their own commitments to the cause of the elimination of racial discrimination;

3. *Invites* all States Parties to include, in their reports under article 9, paragraph 1, of the Convention, information on the status of their relations with the racist régimes of southern Africa;

4. *Notes* that the principled decision of the United Nations General Assembly, at its twenty-ninth session, to refuse to allow the delegation of South Africa to participate in its work, gave forceful expression to the principle that a régime which makes racial segregation and racial discrimination the cornerstone of its national policy falls outside the pale of the community of nations.

Views and recommendations of the Committee on the reporting obligations of States Parties to the Convention adopted by the Committee at its 673rd meeting, on 22 March 1984

(Decision 1 (XXX) A/39/18, chapter IX, section A)

1. The Committee on the Elimination of Racial Discrimination appreciates the serious consideration given by the General Assembly to its request for assistance in getting States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination to fulfil their obligations under article 9 of the Convention.

2. The Committee also wishes to record its thanks to the Secretary-General for his suggestions and recommendations in this regard.

3. The Committee having, at its twenty-ninth session, given very careful consideration to the opinions expressed in the General Assembly and at the ninth meeting of States Parties to the Convention as well as the suggestions and recommendations of the Secretary-General on this matter has come to the following conclusions:

(*a*) The failure of certain States Parties to submit the required reports under article 9 is due either to difficulties resulting from unavailability of personnel with the requisite competence in the field of human rights reporting, or a lack of political will to fulfil obligations flowing from the Convention. There may also be a problem of overloading in the reporting system as a result of the present obligations of States Parties under several international instruments in the field of human rights.

(*b*) In all three instances a change in the periodicity of the reporting obligations cannot be an answer. The reporting system is the most decisive element in the monitoring process with which the Committee is charged, and it is the principal means by which pressure is brought to bear upon States Parties to fulfil the substantive obligation to eliminate racial discrimination in all its forms. The latent nature of racial discrimination, its persistence and its susceptibility to sudden flare-ups and accentuation make it imperative that monitoring should be rigorous and, in this regard, a shorter period for reporting is more beneficial than an extended period.

(*c*) The formal extension, by any means of the periodicity of reporting will have negative effects on the main task of combating racism and racial discrimination, since it will weaken the obligations assumed by States Parties under the Convention. The Committee cannot therefore support an amendment of the Convention.

(*d*) The formalization of a reporting system requiring a four-year substantive report and a two-year interim one will be equally dangerous since its effect will be same as if the Convention had been amended. Support cannot therefore be given to this suggestion.

(*e*) The Committee under its own rules of procedure has adopted a flexible approach making it possible for reports to be combined on occasion without relieving the reporting State of the legal obligation to present its report within the time-frame stipulated by the Convention, and this flexibility is helping States Parties which have the will to fulfil their obligations but which are temporarily over-burdened.

(*f*) With respect to those States Parties whose difficulties appear to arise from a lack of personnel, the necessary assistance in terms of training and advisory services should be provided and the Committee will wholeheartedly support any action to be initiated by the Secretary-General in this respect. Collectively and individually the Committee is ready to contribute to this effort, which is considered the first task in the solution of the reporting problem.

(*g*) When training and advisory services have been provided, the Committee and the General Assembly will be in a position to determine which States Parties have failed to report due to lack of political will and appropriate action can be recommended at that time.

(*h*) With the increase in the number of States Parties and their fulfilment of the reporting obligations the problem of the volume of work will arise for the Committee. The Committee is convinced that under its rules of procedure it has the means to change its method of work to respond adequately to this problem.

(*i*) The Committee gives its full support to the suggestion of co-ordinating meetings of the chairmen of the monitoring bodies of the human rights instruments and has empowered its Chairmen to participate in this activity.

DECISION 1 (XXXII) CONCERNING THE QUESTION OF *APARTHEID* UNDER ARTICLE 3 OF THE CONVENTION ADOPTED BY THE COMMITTEE AT ITS 745TH MEETING, ON 20 AUGUST 1985

(A/40, chapter VII, section B)

The Committee on the Elimination of Racial Discrimination,

Bearing in mind that under article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination the States Parties condemn in particular racial segregation and *apartheid*,

Recalling its General Recommendation III of 18 August 1972, by which it expressed the view that measures adopted at the national level to give effect to the provisions of the Convention are interrelated with measures taken at the international level to encourage respect everywhere for the principles of the Convention,

Recalling also its Decision 2 (XI) of 7 April 1975 declaring that all policies, practices or relations which have the effect of supporting, sustaining or encouraging racist régimes are irreconcilable with the commitment to the cause of the elimination of racial discrimination which is inherent in the ratification of, or accession to, the International Convention on the Elimination of All Forms of Racial Discrimination, and inconsistent with the specific commitment of States Parties to condemn racial segregation and *apartheid*, in accordance with article 3 of the Convention, and their resolve to build an international community free from all forms of racial segregation and racial discrimination, expressed in the Preamble to the Convention,

Gravely concerned over the tragic situation that has developed in South Africa in consequence of the *apartheid* system and which is now resulting in great loss of lives and massive human suffering,

Expressing its support for the struggle of the people of South Africa for a democratic society in which human rights and fundamental freedoms are enjoyed by all on the basis of equality without any form of discrimination,

Noting with satisfaction Security Council resolution 569 (1985) of 26 July 1985 by which the Council condemned the *apartheid* system and all policies and practices deriving therefrom, including the mass arrests and detentions carried out by the Pretoria régime, the murders which have been committed, and the states of emergency declared in parts of the country; called upon the South African Government to lift the state of emergency immediately, to set free immediately and unconditionally all political prisoners and detainees, first of all Mr. Nelson Mandela, and urged the States Members of the United Nations to adopt a series of measures against the Republic of South Africa aimed at eliminating the system of *apartheid* and effecting a lasting change in South Africa,

1. *Strongly condemns* the racist regime of South Africa for the heinous crimes being perpetrated against the black people under the *apartheid* system;

2. *Appeals* to States Parties to the Convention to implement the aforementioned resolution of the Security Council which is consistent with the aims and principles of the Convention in general and with the condemnation of racial discrimination and *apartheid* under article 3 in particular.

DECISION 1 (XXXIV) CONCERNING THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION ADOPTED BY THE COMMITTEE AT ITS 802ND MEETING, ON 19 MARCH 1987

(A/42/18, chapter VII, section A)

The Committee on the Elimination of Racial Discrimination,

Conscious of its responsibilities under the International Convention on the Elimination of All Forms of Racial Discrimination for promoting the implementation of the provisions of the Convention globally,

Mindful that the International Convention on the Elimination of All Forms of Racial Discrimination was adopted as a part of a continuing programme of activities by the United Nations to combat racism and discrimination which has been heightened by the proclamation of the first and second decades to combat racism and racial discrimination,

Recalling its past efforts and those of other bodies within the United Nations system to contribute to the success of the first and second decades to combat racism and racial discrimination,

Expressing its determination to do everything possible within its sphere of activities to advance the realization of the goals of the Second Decade to Combat Racism and Racial Discrimination,

Emphasizing that the International Convention on the Elimination of All Forms of Racial Discrimination provides the basic normative framework for activities under the Second Decade to Combat Racism and Racial Discrimination,

Expressing its appreciation to the Secretary-General for inviting it to indicate its views and suggestions on the draft plan of activities for the period 1990-1993,

1. *Decides* to draw the attention of the Secretary-General, the General Assembly and the Economic and Social Council to the need to consider the International Convention on the Elimination of All Forms of Racial Discrimination as a permanent normative and institutional framework for activities to combat racism and racial discrimination;

2. *Invites* the Secretary-General, the General Assembly and the Economic and Social Council to devote priority attention to ways and means of securing the universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination;

3. *Welcomes* the idea that, among the activities to be carried out during the period 1990-1993, a global survey be conducted to establish the extent to which the International Convention on the Elimination of All Forms of Racial Discrimination has been translated into national or local languages and disseminated, with a view to devising further measures for making the Convention better known, understood and appreciated;

4. *Particularly encourages* the idea that, during the period 1990-1993, a series of regional workshops be organized in each of the main regions of the world, to discuss experience in the functioning of national institutions combating racism and discrimination based on race, colour, descent or national or ethnic origin, as well as in the adoption of legislation;

5. *Expresses the hope* that it will be closely associated in the conduct of the regional workshops referred to in the preceding paragraph;

6. *Notes with interest* the idea that a special meeting of States Parties be convened during the period 1990-1993 to assess experience gained in the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination;

7. *Decides* to explore the possibility of organizing, as soon as possible, a seminar which would include in its agenda an item on the experience gained since 1970 in the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination;

8. *Further decides* that, as part of its annual consideration of efforts to implement the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, it will pay particular attention to its own contribution to the implementation of that Programme, as well as to the way activities under that Programme can contribute to the universal realization of the objectives of the International Convention on the Elimination of All Forms of Racial Discrimination.

Decision 2 (XXXIV) concerning obligation of States Parties to pay their assessed contributions under the International Convention on the Elimination of All Forms of Racial Discrimination and future of the Convention adopted by the Committee at its 804th meeting, on 20 March 1987

(A/42/18, chapter VII, section A)

The Committee on the Elimination of Racial Discrimination,

Recalling with utmost regret that its summer session of 1986 was cancelled,

Further recalling that as a result of that cancellation the Committee was unable to submit its annual report to the General Assembly, as required under article 9, paragraph 2, of the Convention, and to deal with the important matter of communications from individuals under article 14 of the Convention,

1. *Authorizes* its chairman to attend and address the meeting of States Parties on behalf of the Committee;

2. *Wishes* to make the following recommendations to the meeting of States Parties:

(*a*) That the meeting of States Parties .onsider the setting up of a group of three or five representatives of the States Parties at the highest level who would call upon the permanent representatives of the States Parties in arrears in an attempt to help the Secretary-General to collect outstanding assessed contributions immediately or within the shortest possible time;

(*b*) That the meeting appeal to all States Parties that have not yet done so, to pay their 1987 assessed contributions by the end of June 1987.

DECISION 1 (XXXV) CONCERNING OBLIGATIONS OF STATES PARTIES TO PAY THEIR ASSESSED CONTRIBUTIONS UNDER THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION ADOPTED BY THE COMMITTEE AT ITS 811TH MEETING, ON 6 AUGUST 1987

(A/42/18, chapter VIII, section B)

The Committee on the Elimination of Racial Discrimination,

Deeply concerned that the failure of a number of States Parties to comply with their financial obligations under the Convention has led to the cancellation of its August 1986 session and the curtailment by two weeks of its August 1987 session,

Noting that that situation prevented the Committee from submitting its annual report to the General Assembly at its forty-first session as required by the Convention and led to further delay in discharging its substantive obligations under the Convention,

Mindful of the pre-eminence of the International Convention on the Elimination of All Forms of Racial Discrimination within the United Nations system for combating world-wide manifestations of racism and racial discrimination and of the universal acceptance of the principles and objectives of the Convention,

Mindful also of the importance of the contribution which it is called upon by the General Assembly and other human rights organs to make towards the protection and promotion of human rights and fundamental freedoms,

Convinced that the 17 years of its effective work and experience in the struggle against racism and racial discrimination should not be jeopardized in any way,

Alarmed by the continuing manifestations of racism and racial discrimination in many parts of the world,

Gravely concerned that, in spite of all the urgent appeals made by the General Assembly, the meetings of States Parties, the Secretary-General and the Committee itself for payment of assessed contributions under the Convention, the situation impeding the proper functioning of the Committee continues to deteriorate,

Aware of the experimental character of the dual source of financing in the Convention which has given rise to unanticipated difficulties,

Convinced that the General Assembly would not allow the most widely accepted instrument and mechanism against racism and racial discrimination to be impaired as a result of the insignificant amount required for financing the expenses of members of the Committee to attend its two annual sessions,

Recommends to the General Assembly that, pending a fully satisfactory solution to the present difficulties, it consider authorizing the Secretary-General to continue advancing the expenses of the members of the Committee, as was done in the past, to enable the Committee to continue its important work.

Decision 1 (XXXVI) concerning financial situation of the Committee on the Elimination of Racial Discrimination adopted by the Committee at its 827th meeting, on 9 August 1988

(A/43/18, chapter VII)

The Committee on the Elimination of Racial Discrimination,

Having taken into account the views expressed in the Third Committee of the General Assembly at its forty-second session and at the twelfth meeting of the States Parties concerning the responsibility of States Parties for the expenses of the members of the Committee,

Finding it extremely difficult to continue to discharge its mandate effectively under the Convention as long as the present situation continues to impede its work,

Recommends the following draft resolution to the General Assembly for adoption:

"*The General Assembly,*

"*Reiterating* the importance of the International Convention on the Elimination of All Forms of Racial Discrimination, which is the most widely accepted human rights instrument adopted under the auspices of the United Nations, as well as of the contribution of the Committee on the Elimination of Racial Discrimination to United Nations efforts to combat racism and racial discrimination on a global scale,

"*Considering* the relatively low cost of enabling the Committee to continue its work of monitoring the implementation of the Convention,

"*Authorizes* the Secretary-General, on a temporary basis, to ensure the financing of the expenses of the members of the Committee on the Elimination of Racial Discrimination from the United Nations regular budget, until such time as a more permanent solution of the financial difficulties impeding the functioning of that Committee is found."

ANNEX VI

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